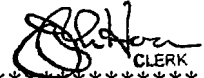


UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED
SEP 04 2008


CLERK

UNIVERSITY OF SOUTH DAKOTA
FOUNDATION,

Plaintiff,

vs.

LARRY LONG, in his official capacity
as South Dakota Attorney General; and
LUCY BUHLER, as an Interested Person,

Defendants.

CIV 07-4192

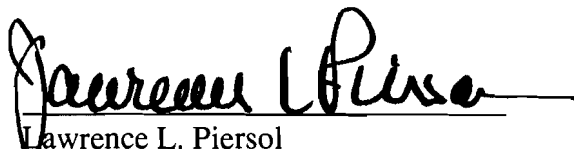
ORDER OF DISMISSAL

The Court has been advised that the case has been settled. Accordingly,

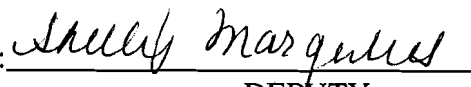
IT IS ORDERED that this action is hereby dismissed without costs and with prejudice, each party to pay their own costs. Any party, on good cause shown on or before October 1, 2008, may move to vacate this Order of Dismissal and reopen this action if settlement is not consummated. The Court also retains ancillary jurisdiction to enforce all settlement agreements entered into by the parties and their representatives. *See Harris v. Arkansas State Highway and Transp. Dep't.*, 437 F.3d 749 (8th Cir. 2006).

Dated this 4th day of September, 2008.

BY THE COURT:


Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: 
DEPUTY